

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RHONDA CLARK,

Plaintiff,

v.

STATE OF NEBRASKA,

Defendant.

4:18CV3165

**MEMORANDUM
AND ORDER**

This matter is before the Court on plaintiff Rhonda Clark's ("Clark") Unopposed Motion to Remand and Certificate of Service (Filing No. 8).

Defendant State of Nebraska removed (Filing No. 1) this action to this Court from the District Court of Lancaster County, Nebraska, alleging federal-question jurisdiction, *see* 28 U.S.C. § 1331, and supplemental jurisdiction, *see* 28 U.S.C. § 1367. Clark then filed a First Amended Complaint (Filing No. 7), containing only state-law claims.

Although Clark abandoned her federal-law claims, this Court retains discretion to exercise supplemental jurisdiction over Clark's state-law claims under 28 U.S.C. § 1367(c)(3). *See Kan. Pub. Emps. Ret. Sys. v. Reimer & Koger Assocs., Inc.*, 77 F.3d 1063, 1067 (8th Cir. 1996). Having carefully considered and weighed the values of judicial economy, convenience, fairness, and comity when Clark's "federal-law claims have dropped out of the lawsuit in its early stages and only state-law claims remain," *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 (1988), the Court declines to exercise that discretion.

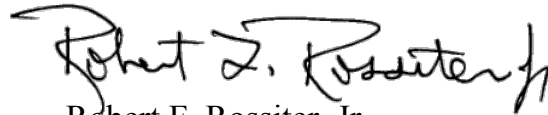
Because this Court declines to exercise subject-matter jurisdiction over Clark's claims, Clark's unopposed motion is granted. *See* 28 U.S.C. 1447(c). Accordingly,

IT IS ORDERED:

1. Plaintiff Rhonda Clark's Unopposed Motion to Remand and Certificate of Service (Filing No. 8) is granted.
2. This case is remanded to the District Court of Lancaster County, Nebraska.

Dated this 8th day of January 2019.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
United States District Judge